Evans Town Board

At the regular meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola, New York on Wednesday, April 4, 2012 at 7:00pm there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Paul T. Cooper	Councilman
	Keith E. Dash	Supervisor
ALSO PRESENT:	Jonica B. DiMartino	Town Clerk
	J. Grant Zajas	Town Attorney
	Jeanne C. Ebersole	Assessor
	Charles LaBarbera	Building Dept. Head
	Lori Szewczyk	Dir. of Community Development
	Scott Dill	Finance Dept.
	Russ Manguso	Parks Commissioner
	Sandra Brant	Dir. of Planning
	Ernie Masullo	Police Chief
	Julie Roach	Seniors Dept. Head
	Patrick Conrad	St. Pt. Marina Dept. Head
	Diana Cafferty	Supervisor's Dept.
	Rob Klavoon	Wendel Duchscherer
EXCUSED:	Gary Noel	Water Dept.
ABSENT:	Edward Michalski	Highway Superintendent

RESOLUTION 2012-130 Approve Minutes

Councilman Cooper moved and Councilman Feldmann seconded that the reading of the minutes of the meeting of the regular meeting of March 21, 2012 be dispensed with and approved as submitted by the Town Clerk.

VOTE RESULT: ADOPTED
AYES – Feldmann, Cooper, Dash
NAYS – none

Privilege of the Floor on Meeting Agenda Items & Other Issues

1. Tony Helta, 1883 Eden Evans Center Rd, expressed concerns regarding Union Concrete.

2. Robert L. Palmer, 1780 Eden Evans Center Rd, expressed concerns regarding concrete plant.

RESOLUTION 2012-131Approve Town Clerk Monthly Reports

Supervisor Dash moved and Councilman Cooper seconded, to approve the Town Clerk Monthly Reports as follows:

March Monthly	$12,771.05
March Interest	$ 2.33
March Petty Cash	$ -0-
March Water Receipts	$121,477.95
March Interest	$20.80

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann Aye
Councilman Cooper Aye
Supervisor Dash Aye

RESOLUTION 2012-132 Old Business

Councilman Feldmann moved and Councilman Cooper seconded to leave the following four items on Old Business:

1. PLL#3 of 2011- RE: Live Band/Special Event Licenses
2. Appt of full-time Patrolman
3. PBA Contract
4. Town Safety Officer

VOTE RESULT: ADOPTED
AYES – Feldmann, Cooper, Dash
NAYS – none

RESOLUTION 2012-133 Schedule the advertising for the receipt of bids for the Greenway Path along Kennedy Ave.

Councilman Feldmann moved and Councilman Cooper seconded,

Whereas, the Town of Evans has authorized Wendel Duchscherer, Architects & Engineers P.C. to complete the plans and specifications for the installation of a Greenway Path along Kennedy Ave. (Project 2589-39) and,

Whereas, Wendel Duchscherer has completed the plans and specifications and is in the process of receiving the approvals from the necessary reviewing agencies,

Now, therefore be it resolved, that the Evans Town Board authorizes the Town Clerk to advertise for said bids as follows:

- Books available: Thursday April 12, 2012.
- Open Bids: Thursday April 26, 2012 at 10:00 AM.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann Aye

Councilman Cooper	Aye
Supervisor Dash	Aye

RESOLUTION 2012-134 Retain services to assist Town in maintaining the Firemen's Length of Service Awards Program

Councilman Cooper moved and Councilman Feldmann seconded,

WHEREAS, the Town of Evans wishes to bring up to date the Firemen's Length of Service Awards Program (LOSAP),

NOW THEREFORE BE IT RESOLVED, that the Town of Evans retain the services of Penflex, Inc., 50 Century Hill Drive, Suite 3, Latham, NY 12110 to assist the town in maintaining the required paperwork and information need to meet the proper requirements of the Length of Service Award Program (LOSAP).

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Cooper	Aye
Supervisor Dash	Aye

RESOLUTION 2012-135 Award proposal for Ambulance Service

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, the Town of Evans advertised for proposals to contract for ambulance service, and

WHEREAS, all proposals had to be submitted and opened on March 26, 2012, and

WHEREAS, Rural /Metro Medical Services was the only proposal received,

NOW THEREFORE BE IT RESOLVED, that the Town of Evans hereby accepts the proposal from Rural/Metro Medical Services for ambulance service to the residents of the Town of Evans, and

BE IT FURTHER RESOLVED, that the agreement will be in effect for one (1) year and the Town of Evans shall have the right to extend the agreement for five (5) successive one (1) year terms, per a contract to be executed, and

BE IT FURTHER RESOLVED, that the Supervisor or his designee is hereby authorized to execute a contract in furtherance here of subject to the approval of the Town Attorney and the Director of Finance.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Cooper	Aye

Supervisor Dash Aye

RESOLUTION 2012-136 Rent dredge and hose for emergency dredging of Sturgeon Point Marina

Councilman Feldmann moved and Councilman Cooper seconded,

Whereas, the Surgeon Point Marina is in need of substantial dredging to allow the opening of the marina as scheduled and required; and

Whereas, due to the unusual weather conditions experienced during the off-season and when the marina was not in operation, the dredging required is more extensive than usual and anticipated; and

Whereas, the dredging equipment currently at the disposal of the marina is insufficient to meet the demands of such operation; and

Whereas, it is deemed that the circumstances of the condition of the marina, the state of the equipment otherwise available to the Town and the need to assure that the marina is in a position to open and operate on schedule and according to the commitments of the same constitute a public emergency arising out of unforeseen and unforeseeable circumstances and occurrences; and;

Whereas, the Town has explored available options in light of this emergency and these unforeseen circumstances; and

Whereas, the Town has determined that Fairway Contracting has available to rent to the Town a dredge and discharge hose and related equipment for such dredging operation; and

Now therefore be it resolved, that the Town Board authorizes the rental of the aforesaid dredge and discharge hose and procurement of related equipment for a total cost not to exceed $15,000 to include such rental and delivery and acquisition of the same.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann Aye
Councilman Cooper Aye
Supervisor Dash Aye

RESOLUTION 2012-137 Create 2 Clerk Typist positions & creation of Administrative Assistant position

Councilman Cooper moved and Councilman Feldmann seconded,

Whereas, the needs of the Town in the operation of its various departments and administration of the duties of the same have been reviewed; and

Whereas, in light of the same it is determined that it is necessary to create and establish

additional positions to assure the smooth and efficient operation of the Town and its various departments,

Now therefore be it resolved, that the Town Board hereby authorizes and creates two additional positions of clerk typist to meet such needs; and

Be it further resolved that the position of administrative assistant is hereby created to also meet such needs

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann Aye
Councilman Cooper Aye
Supervisor Dash Aye

RESOLUTION 2012-138 Advertise for Proposals for the Use and Occupancy of a portion of the maintenance building at the Sturgeon Point Marina

Supervisor Dash moved and Councilman Cooper seconded,

Whereas, the inquiries have been made of the Parks and Recreation Department of the Town of Evans for the use of a portion of the maintenance building situated at the Sturgeon Point Marina; and

Whereas, it has been determined that the use of such facilities would not negatively impact the operation of the marina; and

Whereas, it is deemed to be in the best interest of the Town that investigation be had as to the possible uses to which such facilities may be put and the terms under which interested persons or parties may wish to obtain the use thereof;

Now Therefore Be it Resolved, that the Town Clerk is hereby authorized to advertise for requests for proposals for the use and occupancy of a portion of the maintenance building at the Sturgeon Point Marina which proposals are to include the terms of such use, the purposes of the same and the compensation to be offered for the opportunity to make use of the same in conformance with the information which will be available at the Town Clerk's Office as of April 12, 2012, said requests for such proposals to be received by the Town Clerk's Office by or before 10:00 am on April 24, 2012 at which time and place said proposals will be opened.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann Aye
Councilman Cooper Aye
Supervisor Dash Aye

RESOLUTION 2012-139 Approve Town Licenses

Supervisor Dash moved and Councilman Cooper seconded,

Licenses:

1. Jason E. Haynes D/B/A Jay's Hilltop Bistro- Refreshment & Live Band

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Department of Health where appropriate.

VOTE RESULT: ADOPTED
AYES – Feldmann, Cooper, Dash
NAYS – none

RESOLUTION 2012-140 Audit of Bills

Councilman Cooper moved and Supervisor Dash seconded,

BE IT RESOLVED, that all properly audited bills be paid forth out of their respective accounts as set forth in the abstracts brought forth on April 4, 2012

Date: 03/21/2012
Abstract No. 5
Voucher No. 390-487
Prepaid: 17, 18

GENERAL	110,139.86
PART TOWN	9,559.44
HIGHWAY DA	0
HIGHWAY	53,116.36
WATER	7,447.08
CAPITAL PROJECTS	0.00
SPECIAL DISTRICTS	150,843.35
DEBT SERVICE	0.00
COMMUNITY DEVELOPMENT	0.00
TOTAL	331,106.09

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Cooper	Aye
Supervisor Dash	Aye

RESOLUTION 2012-141 Adjournment

Supervisor Dash moved and Councilman Cooper seconded, to adjourn to a Work Session on Wednesday, April 11, 2012 at 6:15pm then to an Agenda Meeting on Wednesday, April 18, 2012 at 6:30pm with the regular Town Board meeting immediately following at 7:00pm and also to a Special Meeting for Healthcare on Thursday, April 19,

2012 at 5:30pm for Town Employees and 6:30pm for Retirees.

VOTE RESULT: ADOPTED
AYES- Feldmann, Cooper, Dash
NAYS- none

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Jonica B. DiMartino
Town Clerk
Town of Evans